

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AGROVANA, LLC,

Plaintiff and Counterclaim-
Defendant,

v.

CONGO BRANDS LLC,

Defendant,

and

PRIME HYDRATION, LLC,

Defendant and Counterclaim-
Plaintiff.

Civil Action No. 1:24-cv-12400

**PLAINTIFF AND COUNTERCLAIM-DEFENDANT AGROVANA,
LLC'S MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO
COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS**

EXHIBIT 8



Re: Coconut Powder MDOLM232230

From Hallie Streib <hallie.streib@congobrand.com>

Date Fri 4/12/2024 2:50 PM

To Ana Nava <anava@1-scs.com>

Cc Monika Michalska <mmichalska@1-scs.com>

Thanks Ana!

Please upload a COD in the link below.

<https://app.smartsheet.com/b/form/6cb40d3f49de44ba8aad7f00b908df4e>



Hallie Streib

Supply Chain Analyst

hallie.streib@congobrand.com

P: (502) 671-9606

From: Ana Nava

Sent: Wednesday, April 10, 2024 11:47 AM

To: Hallie Streib

Cc: Monika Michalska

Subject: Coconut Powder MDOLM232230

Good morning Hallie,

Please see attachments.

We received this load of coconut powder with 1 of the boxes on the pallet damaged and leaking.

ShipmentID: 31491-84961

PO# MDOLM232230

Thank you,

Ana Nava

Logistics Coordinator

ONESCS

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 347 | Mobile: 626-506-9228

Email: anava@1-scs.com



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RE: Coconut Inventory on Hand

From Monika Michalska <mmichalska@1-scs.com>

Date Mon 8/26/2024 9:56 AM

To Myles Gibson <myles.gibson@congo brands.com>; Ana Nava <anava@1-scs.com>

📎 1 attachment (3 MB)

74484091085_FB171D95-D754-4879-BCA9-576961EF1EF0.jpeg;

Good morning Myles,

Sorry for the late response.

Yes, it was placed on HOLD. Please see the attached picture.

Thanks,

Monika Michalska

Logistics Manager

ONESCS

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 346 | Mobile: 702-472-1906

Email: mmichalska@1-scs.com



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From: Myles Gibson <myles.gibson@congo brands.com>

Sent: Monday, August 26, 2024 9:48 AM

To: Ana Nava <anava@1-scs.com>; Monika Michalska <mmichalska@1-scs.com>

Subject: Re: Coconut Inventory on Hand

Good afternoon team,

Following up to ensure this lot was placed on hold?

Thank you,



Myles Gibson

Quality Assurance Specialist

myles.gibson@congobrand.com

P: (859) 693-2811

From: Myles Gibson <myles.gibson@congobrand.com>
Date: Thursday, August 8, 2024 at 1:28 PM
To: Ana Nava <anava@1-scs.com>, Monika Michalska <mmichalska@1-scs.com>
Cc: Morgan Waldner <morgan.waldner@congobrand.com>
Subject: Re: Coconut Inventory on Hand

Hey team,

Can you please place K24-CWP01C4 on hold as well?

Please confirm once this has been placed on hold and hold tags applied.

Thank you,

From: Ana Nava <anava@1-scs.com>
Date: Monday, August 5, 2024 at 15:22
To: Nicholas Cravens <nicholas.cravens@congobrand.com>, Myles Gibson <myles.gibson@congobrand.com>, Monika Michalska <mmichalska@1-scs.com>, Morgan Waldner <morgan.waldner@congobrand.com>, Raw Materials <rawmaterials@congobrand.com>
Subject: RE: Coconut Inventory on Hand

Received

Thank you,

Ana Nava

Logistics Coordinator

ONESCS

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 347 | Mobile: 626-506-9228

Email: anava@1-scs.com



delete this message. Thank you for your cooperation.

From: Nicholas Cravens <nicholas.cravens@congobrand.com>
Sent: Monday, August 5, 2024 12:19 PM
To: Ana Nava <anava@1-scs.com>; Myles Gibson <myles.gibson@congobrand.com>; Monika Michalska <mmichalska@1-scs.com>; morgan.waldner@congobrand.com; Raw Materials <rawmaterials@congobrand.com>
Subject: RE: Coconut Inventory on Hand



Nicholas Cravens

Senior Transportation Coordinator
nicholas.cravens@congobrand.com

From: Ana Nava <anava@1-scs.com>
Sent: Monday, August 5, 2024 3:18 PM
To: Myles Gibson <myles.gibson@congobrand.com>; Monika Michalska <mmichalska@1-scs.com>; Morgan Waldner <morgan.waldner@congobrand.com>; Nicholas Cravens <nicholas.cravens@congobrand.com>; Raw Materials <rawmaterials@congobrand.com>
Subject: RE: Coconut Inventory on Hand

Good afternoon,

Will you provide BOL for this or would you like us to print one from our system.

Thank you,

Ana Nava

Logistics Coordinator

ONE SCS

4141 Distribution Circle | N. Las Vegas, NV 89030

Phone: 702-919-0111 ext. 347 | Mobile: 626-506-9228

Email: anava@1-scs.com



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From: Myles Gibson <myles.gibson@congobrand.com>

Sent: Friday, August 2, 2024 8:28 PM

To: Monika Michalska <mmichalska@1-scs.com>; morgan.waldner@congobrand.com; Ana Nava <anava@1-scs.com>; Nicholas Cravens <nicholas.cravens@congobrand.com>; Raw Materials <rawmaterials@congobrand.com>

Subject: Re: Coconut Inventory on Hand

+ [@Nicholas Cravens](#) [@Raw Materials](#) to help with coordinating the pickup.

Nick, please see the above pick up location for this shipment of coconut. It's one pallet that is needing to go to CBL.

Thanks,

Get [Outlook for iOS](#)



Myles Gibson

Quality Assurance Specialist

myles.gibson@congobrand.com

P: (859) 693-2811

From: Monika Michalska <mmichalska@1-scs.com>

Sent: Friday, August 2, 2024 7:53:49 PM

To: Myles Gibson <myles.gibson@congobrand.com>; Morgan Waldner <morgan.waldner@congobrand.com>; Ana Nava <anava@1-scs.com>

Subject: Re: Coconut Inventory on Hand

3010 E Alexander Rd
1004-1005
N Las Vegas, NV 89030

Thanks,

Monika Michalska

From: Myles Gibson <myles.gibson@congobrand.com>

Sent: Friday, August 2, 2024 4:28:56 PM

To: Monika Michalska <mmichalska@1-scs.com>; morgan.waldner@congobrand.com <morgan.waldner@congobrand.com>; Ana Nava <anava@1-scs.com>

Subject: Re: Coconut Inventory on Hand

Thanks, Monika!

Can you please confirm the pickup location for the pallet of coconut?

Thanks,



Myles Gibson

Quality Assurance Specialist

myles.gibson@congobrands.com

P: (859) 693-2811

From: Monika Michalska <mmichalska@1-scs.com>

Date: Friday, August 2, 2024 at 12:57

To: Myles Gibson <myles.gibson@congobrands.com>, Morgan Waldner <morgan.waldner@congobrands.com>, Ana Nava <anava@1-scs.com>

Subject: RE: Coconut Inventory on Hand

Yes. Please see attached. We will also put caution tape on it.

Thanks,

Monika Michalska

Logistics Manager

ONESCS

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 346 | Mobile: 702-472-1906

Email: mmichalska@1-scs.com



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From: Myles Gibson <myles.gibson@congobrands.com>

Sent: Friday, August 2, 2024 9:33 AM

To: Monika Michalska <mmichalska@1-scs.com>; morgan.waldner@congobrands.com; Ana Nava <anava@1-scs.com>

Subject: Re: Coconut Inventory on Hand

Monika,

Thanks for the update. Can you please confirm if you all are placing a physical hold tag on this lot? We need to ensure that it doesn't get moved accidentally.

Thanks,

Get [Outlook for iOS](#)



Myles Gibson

Quality Assurance Specialist

myles.gibson@congobrands.com

P: (859) 693-2811

From: Monika Michalska <mmichalska@1-scs.com>

Sent: Friday, August 2, 2024 12:26:23 PM

To: Myles Gibson <myles.gibson@congobrands.com>; Morgan Waldner <morgan.waldner@congobrands.com>;

Ana Nava <anava@1-scs.com>

Subject: RE: Coconut Inventory on Hand

Hi Myles,

Sorry for the delay.

LOT# NVR-CWP-2460K has been placed on hold. The pallet is ready.

Thanks,

Monika Michalska

Logistics Manager

ONESCS

[4141 Distribution Circle](#) | N. Las Vegas, NV 89030

Phone: 702-919-0111 ext. 346 | Mobile: 702-472-1906

Email: mmichalska@1-scs.com



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From: Myles Gibson <myles.gibson@congobrands.com>

Sent: Friday, August 2, 2024 9:24 AM

To: Monika Michalska <mmichalska@1-scs.com>; morgan.waldner@congobrands.com; Ana Nava <anava@1-scs.com>

scs.com>

Subject: Re: Coconut Inventory on Hand

Hey Monika,

Has the lot NVR-CWP-2460K been placed on hold? Also, where are we at with preparing one box of coconut/lot for shipping?

Thanks,



Myles Gibson

Quality Assurance Specialist

myles.gibson@congobrands.com

P: (859) 693-2811

From: Monika Michalska <mmichalska@1-scs.com>

Sent: Thursday, August 1, 2024 11:35:14 AM

To: Myles Gibson <myles.gibson@congobrands.com>; Morgan Waldner <morgan.waldner@congobrands.com>;

Ana Nava <anava@1-scs.com>

Subject: RE: Coconut Inventory on Hand

Good morning Myles,

Working on it.

Thanks,

Monika Michalska

Logistics Manager

ONESCS

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 346 | Mobile: 702-472-1906

Email: mmichalska@1-scs.com



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From: Myles Gibson <myles.gibson@congobrands.com>

Sent: Thursday, August 1, 2024 8:19 AM

009

To: morgan.waldner@congobrand.com; Monika Michalska <mmichalska@1-scs.com>; Ana Nava <anava@1-scs.com>

Subject: Re: Coconut Inventory on Hand

Hey team,

Thanks for getting this inventory over to us. Can you please place the following lot on hold immediately: NVR-CWP-2460K.

Can you please provide an updated inventory report as of today?

One additional request, can you please pull one box from of the following lots to be shipped to our attention:

K-CWP11B5
K-CWP12A2
K-CWP12B4
K-CWP12D2
K24-CWP01C4
K24-CWP01B1

Please confirm once this pallet is ready to go.

Thank you,



Myles Gibson

Quality Assurance Specialist

myles.gibson@congobrand.com

P: (859) 693-2811

From: Morgan Waldner <morgan.waldner@congobrand.com>

Date: Friday, July 26, 2024 at 10:23

To: Monika Michalska <mmichalska@1-scs.com>, Ana Nava <anava@1-scs.com>, Myles Gibson <myles.gibson@congobrand.com>

Subject: Re: Coconut Inventory on Hand

Thank you!



Morgan Waldner

Quality Assurance Specialist

morgan.waldner@congobrand.com

From: Monika Michalska <mmichalska@1-scs.com>

Date: Friday, July 26, 2024 at 10:19 AM

To: Morgan Waldner <morgan.waldner@congobrand.com>, Ana Nava <anava@1-scs.com>, Myles Gibson <myles.gibson@congobrand.com>

Subject: RE: Coconut Inventory on Hand

Good morning Morgan,

On hand shows boxes.

Thanks,

Monika Michalska

Logistics Manager

ONESCS

[4141 Distribution Circle](#) | N. Las Vegas NV 89030

Phone: 702-919-0111 ext. 346 | Mobile: 702-472-1906

Email: mmichalska@1-scs.com



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From: Morgan Waldner <morgan.waldner@congobrand.com>

Sent: Friday, July 26, 2024 5:40 AM

To: Ana Nava <anava@1-scs.com>; Myles Gibson <myles.gibson@congobrand.com>

Cc: Monika Michalska <mmichalska@1-scs.com>

Subject: Re: Coconut Inventory on Hand

Question for you,

Is the on hand referring to boxes or lbs?

Thank you,



Morgan Waldner

Quality Assurance Specialist

morgan.waldner@congobrand.com

From: Ana Nava <anava@1-scs.com>
Date: Thursday, July 25, 2024 at 5:58 PM
To: Myles Gibson <myles.gibson@congobrand.com>
Cc: Monika Michalska <mmichalska@1-scs.com>, Morgan Waldner <morgan.waldner@congobrand.com>
Subject: RE: Coconut Inventory on Hand

Hi Myles,

Please see attached and let us know if you want us to update our system with the Batch# instead of Lot#.

Thank you,

Ana Nava

Logistics Coordinator

ONE SCs

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 347 | Mobile: 626-506-9228

Email: anava@1-scs.com



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From: Ana Nava
Sent: Wednesday, July 24, 2024 2:09 PM
To: Myles Gibson <myles.gibson@congobrand.com>
Cc: Monika Michalska <mmichalska@1-scs.com>; morgan.waldner@congobrand.com
Subject: RE: Coconut Inventory on Hand

Hi Myles,

Sorry for the delay, we are working on this but as we are having to check every pallet for this information, we will have it for you tomorrow.

Thank you,

Ana Nava

Logistics Coordinator

ONESCS

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 347 | Mobile: 626-506-9228

Email: anava@1-scs.com



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From: Myles Gibson <myles.gibson@congobrand.com>

Sent: Wednesday, July 24, 2024 12:33 PM

To: Ana Nava <anava@1-scs.com>

Cc: Monika Michalska <mmichalska@1-scs.com>; morgan.waldner@congobrand.com

Subject: Re: Coconut Inventory on Hand

Hey Ana,

Thanks for this information. However, we need the actual lot code and not the batch date. Can you please provide this information as soon as possible.

Thanks,



Myles Gibson

Quality Assurance Specialist

myles.gibson@congobrand.com

P: (859) 693-2811

From: Ana Nava <anava@1-scs.com>

Sent: Wednesday, July 24, 2024 11:47:52 AM

To: Myles Gibson <myles.gibson@congobrand.com>

Cc: Monika Michalska <mmichalska@1-scs.com>

Subject: RE: Coconut Inventory on Hand

Hi Myles,

Please see attached.

Thank you,

Ana Nava

Logistics Coordinator

ONESCS

4141 Distribution Circle | N. Las Vegas, NV 89030

Phone: 702-919-0111 ext. 347 | Mobile: 626-506-9228

Email: anava@1-scs.com



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From: Ana Nava

Sent: Wednesday, July 24, 2024 8:42 AM

To: Myles Gibson <myles.gibson@congobrands.com>

Cc: Monika Michalska <mmichalska@1-scs.com>

Subject: RE: Coconut Inventory on Hand

Good morning Myles,

Working on this.

Thank you,

Ana Nava

Logistics Coordinator

ONESCS

4141 Distribution Circle | N. Las Vegas, NV 89030

Phone: 702-919-0111 ext. 347 | Mobile: 626-506-9228

Email: anava@1-scs.com



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From: Myles Gibson <myles.gibson@congobrand.com>
Sent: Wednesday, July 24, 2024 4:30 AM
To: Ana Nava <anava@1-scs.com>
Subject: Coconut Inventory on Hand
Importance: High

Good morning Ana,

Can you please send me a comprehensive inventory report of all the coconut you have on hand? Please include the lot codes, expiration dates, and the quantities for each lot.

Thank you,







Re: Congo Brands Inventory Count

From Radoslaw Kaczowka <rkaczowka@1-scs.com>

Date Tue 12/17/2024 11:43 AM

To Paul Bradley <paul.bradley@congobrands.com>; Monika Michalska <mmichalska@1-scs.com>; Michal Michalski <mmichalski@1-scs.com>; Raf Bajka <rbajka@1-scs.com>

📎 1 attachment (432 KB)

Prime Expired Products.pdf;

Good afternoon Paul,

Please see the attached report with all the product of Prime that is expired.

- See 21-23 infra

Radoslaw Kaczowka

Production Manager

ONESCS

4141 Distribution Circle | N. Las Vegas, NV 89030

Phone: 702-919-0111 ext. 414 | Mobile: 708-925-4718

Email: rkaczowka@1-scs.com | www.onesupplychainsolution.com



From: Radoslaw Kaczowka <rkaczowka@1-scs.com>

Sent: Monday, December 16, 2024 11:24 AM

To: Paul Bradley <paul.bradley@congobrands.com>; Monika Michalska <mmichalska@1-scs.com>; Michal Michalski <mmichalski@1-scs.com>; Raf Bajka <rbajka@1-scs.com>

Subject: Re: Congo Brands Inventory Count

Adding [@Monika Michalska](#) [@Michal Michalski](#) and [@Raf Bajka](#).

We will send you the report with expired products by EOD.

Thanks

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From: Paul Bradley <paul.bradley@congobrands.com>
Sent: Monday, December 16, 2024 11:09:29 AM
To: Radoslaw Kaczowka <rkaczowka@1-scs.com>
Subject: RE: Congo Brands Inventory Count

Whenever you're free, can you give me a call at 502-500-6113? I just want to talk through the feasibility of a 100% count of inventory and gain insight on any expired goods on hand.

Paul Bradley

SR Manager, Inventory & Cost Accounting

paul.bradley@congobrands.com



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From: Radoslaw Kaczowka <rkaczowka@1-scs.com>
Sent: Monday, December 16, 2024 12:45 PM
To: Paul Bradley <paul.bradley@congobrands.com>; Szymon Szymanski <Szymanski@1-scs.com>; Monika Michalska <mmichalska@1-scs.com>; Ana Nava <anava@1-scs.com>; Raf Bajka <rbajka@1-scs.com>
Subject: Re: Congo Brands Inventory Count

You don't often get email from rkaczowka@1-scs.com. [Learn why this is important](#)
Good morning Paul,

Nice to meet you. January 2nd at 8am aligns with us as well.

Do you have any specific requirements from us? Let us know anything you might require in advance.

Thank You

Radoslaw Kaczowka

Production Manager

ONESCS

[4141 Distribution Circle | N. Las Vegas, NV 89030](#)

Phone: 702-919-0111 ext. 414 | Mobile: 708-925-4718

Email: rkaczowka@1-scs.com | www.ongsupplychainsolution.com



From: Paul Bradley <paul.bradley@congobrand.com>
Sent: Monday, December 16, 2024 9:34 AM
To: Radoslaw Kaczowka <rkaczowka@1-scs.com>; Szymon Szymanski <Szymanski@1-scs.com>; Monika Michalska <mmichalska@1-scs.com>; Ana Nava <anava@1-scs.com>; Raf Bajka <rbajka@1-scs.com>
Subject: Congo Brands Inventory Count

Hello Radoslaw – My name is Paul Bradley, and I will be the Congo Representative counting inventory on January 2nd. Just wanted to provide an introduction contact and please let me know if there's anything additional that I will need to be prepared for the count.

I plan on arriving to the facility January 2nd at 8am.

Thanks,

Paul

Paul Bradley

SR Manager, Inventory & Cost Accounting

paul.bradley@congobrand.com



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Row Labels	Count of Lot Number	Sum of On Hand Primary
PH1201ORG	1	48
PH Orange 12pk	1	48
120423	1	48
PH1202TRP	431	51181
PH Tropical Punch 12pk	431	51181
101323	20	2380
101423	1	119
102023	6	714
112123	84	9996
112223	66	7746
112423	184	21896
112523	70	8330
PH1203GRP	100	11854
PH Grape 12pk	100	11854
111323	4	476
111423	1	73
120323	95	11305
PH1204LML	480	56900
PH Lemon Lime 12pk	480	56900
092623	1	117
092723	1	17
100423	28	3332
100523	11	1309
102323	16	1904
102423	2	238
111123	1	119
112423	27	3213
112523	227	27013
112623	102	12136
112723	64	7502
PH1205BLR	285	33774
PH Blue Razz 12pk	285	33774
083123	1	119
100623	1	119
100923	1	67
111423	1	119
111523	3	357
111623	2	149
112823	26	3094
112923	177	21063
113023	61	7259
120423	12	1428
PH1206SWM	402	47789
PH Strawberry Watermelon 12pk	402	47789
111023	12	1428
111123	125	14875
111223	145	17255

111323	20	2380
112723	34	4046
112823	66	7805
PH1207BMB	1	6
PH Ice Pop 12pk	1	6
110723	1	6
PH1208MTM	8	648
PH Meta Moon 12pk	8	648
060423	1	118
090123	1	23
090423	1	7
111023	1	24
113023	2	238
120523	2	238
PH1211LMN	103	12072
PH Lemonade 12pk	103	12072
110323	1	37
121323	4	476
121523	70	8330
121623	28	3229
PH1215LAD	69	7917
PH USA - ICE POP FLY	69	7917
082123	1	118
082323	49	5538
082423	3	357
082523	16	1904
PH1216CHF	1	34
PH Cherry Freeze 12pk	1	34
120723	1	34
PH-CCNPWD-03	84	2179
PH Coconut Water Powder - Fluorocess Nutravedic	84	2179
K-CWP08A6	1	18
K-CWP08C2	1	23
K-CWP08C4	3	73
K-CWP08C5	1	30
K-CWP08C7	4	43
K-CWP08C8	9	171
K-CWP10D3	4	112
K-CWP11B5	19	531
K-CWP124B4	13	364
K-CWP12A2	20	559
K-CWP12B4	7	195
NVR-CWP-2410K	2	60
PH-PREMIX-02	21	981
PH Premix AF33676-22	21	981
1000302451	1	7
1000305493	1	79
1000305845	2	72

1000306433	1	60
CP231007	2	119
CP231020	1	19
CP231109	1	60
U11859	1	25
V19048	1	60
V19052	1	60
V19053	1	60
V19054	1	18
V19055	1	42
V19056	3	143
V19057	1	37
V19058	2	120
PH-PREMIX-03	10	256
PH Hydration Blend	10	256
F23100693C	5	122
F23100702C	2	54
F23100714C	3	80
PH-PREMIX-07	1	17
PH Premix- No Vitamin A & BCAAs	1	17
H23061235B	1	17
Grand Total	1997	225656